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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,024	03/11/2002	Tatsuya Chino	112003	9086

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EXAMINER

NGUYEN, VAN KIM T

ART UNIT PAPER NUMBER

2151

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,024

Applicant(s)

CHINO ET AL.

Examiner

Van Kim T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 20, 21, 25-35 and 39 is/are rejected.
- 7) ☐ Claim(s) 17-19, 22-24, 36-38 and 40-42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to communications filed on September 19, 2005. Claims 1-42 are pending in the application.

Response to Argument

2. Applicant's arguments, see page 11: lines 6-10, with respect to the rejection under 35 USC § 101 have been fully considered and are persuasive. The rejection of claims 12-13 and 25-42 has been withdrawn.

Applicant's arguments, see page 11: lines 12-17, with respect to the rejection under 35 USC § 102(b) as being anticipated by Takagi (US 5,768,614) have been fully considered and are persuasive. The rejection of claims 1-3, 7-9, and 14-24 has been withdrawn.

Applicant's arguments with respect to the rejection under 35 USC § 102(e) as being anticipated by Nishiyama (US 6,725,460) have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the information ... provided by a remote service provider", page 11: lines 24-25) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-5, 7-16, 20-21, 25-35 and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishiyama et al (US 6,725,460), hereinafter Nishiyama.

Regarding claims 1, 7, 12-14, 20, 25-26 and 35, as shown in Figures 1-9, Nishiyama discloses an information distribution system (10) that displays a service information provided by an information provider (20) from a terminal (30) on at least one of a plurality of displays (), comprising:

a service information collector (202, 204) that collects the service information (10b) including a display information representing specific information contents (10a), the desired distribution date and time information (delivery schedule) and a display designation information (10c) that designates the display on which the display information is displayed (col. 8: line 56-67);

a display selector (205) that selects at least one of the plurality of displays based on the display designation information collected by the service information collector (col. 14: lines 18-22); and

an information distributor (204) that distributes the display information to the display selected by the display selector (col. 7: lines 17-20; and col. 11: line 38 – col. 14: line 17).

Regarding claims 2, 8, 15, 21, 27, 31 and 39, Nishiyama also discloses a service information processor/server (201) that processes the service information (10b) to generate an image information (10a) in order to display an image on the display selected by the display selector (col. 8: lines 23-36).

Regarding claims 3, 9, 28 and 32, Nishiyama also discloses an information attribute collector (204) that collects an information attribute (10c) of the service information,

wherein the display selector selects the display (30) to which the service information (10a, moving-picture-advertisement-contents) is distributed based on the information attribute collected by the information attribute collector (col. 9: lines 4-9; col. 13: line 20 – col. 14: line 17; col. 15: lines 13-27; and col. 19: lines 7-17).

Regarding claims 4, 10, 29 and 33, Nishiyama discloses a display location information collector (204) that collects location information of the plurality of displays (e.g., 10c including field specifying where the terminal system 30 are installed), wherein the display selector selects the display to which the service information is distributed based on the location information of the display collected by the display location information collector (col. 9: lines 4-9; col. 13: line 20 – col. 14: line 17; col. 15: lines 13-27; and col. 19: lines 7-17).

Regarding claims 5, 11, 16, 30 and 34, Nishiyama also discloses an information storage (208, 215; col. 16: line 66 – col. 17: line 10; and col. 18: lines 26-39). Though Nishiyama does not explicitly teach the information storage stores the location information collected by the

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display location information collector, but since the information storage is a memory medium, inherently it can be used to store information, location information collected by the display location information collector included.

Regarding claims 17 and 22, Nishiyama also discloses a registration request distributor (202) that when the service information is collected by the service information collector, distributes a request for registering a display information contained in the service information to the respective controller (col. 8: lines 56-67); the display program executor (205) comprising a display information finder (204) that seeks a corresponding display information from the display information stored in the display information storage in response to the registration request from the registration request distributor (col. 9: lines 47-64); and an information transmission requesting portion that requests transmission of the display information to the server when the corresponding display information is not found after searching by the display information finder.

Regarding claims 18 and 23, Nishiyama also discloses the display program executor comprising a display information finder that searches corresponding display information from the display information stored in the display information storage based on the distributed display program; and an information transmission requesting portion that requests transmission of the display information to the server when the corresponding display information is not found after searching by the display information finder.

Regarding claims 19 and 24, the display controller comprising a base content display portion that displays a predetermined base contents on the display when there is no display information based on the display program.

Claim Rejections - 35 USC § 103

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiyama, in view of Wu (US 6,874,018).

Nishiyama discloses substantially all the claimed limitations, except the terminal is a mobile terminal.

As shown in Figures 1-7, Wu teaches a method for providing displaying visual contents to a mobile terminal (handheld computer). See abstract.

Nishiyama and Wu teach analogous arts, relating to delivering displaying multimedia contents in a distributed system, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to Wu's method of providing advertising to handheld computer in Nishiyama's distributed system, motivated by the need and availability to access information from the Internet remotely at locations away from a user's home or office.

Allowable Subject Matter

6. Claims 17-19 and 22-24, 36-38, and 40-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

Conclusion

7. Applicant's amendment necessitated the new ground of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Van Kim T. Nguyen
Examiner
Art Unit 2151

vkn


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER